



**Council Ward:** Ward 2  
**Evaluation Prepared by:** Patti Hart

**Applicant:** One Square Development, LLC  
11212 Snowy Owl Ln.  
Alpharetta, GA 30022

**Owner:** 122 Dupree Rd, LLC

**Parcel #:** 15N12 189

**Location:** 122 Dupree Rd.

**Area:** +/- 2.520 ac.

**Request:** Rezoning to DT-MRA

**Proposed Use/**

**Purpose:** Single Family Residential - Detached

**Current Zoning:** DT-RO

**Current Land Use:** Undeveloped

**Future Land Use:** T-5 Urban Village

**Surrounding Properties:**

	<b>Current Zoning</b>	<b>Current Land Use</b>
<b>North</b>	DT-MRA	Townhome
<b>East</b>	DT-MRA	SFD & Townhome
<b>South</b>	DT-MRA	SFD
<b>West</b>	DT-MRA	SFD & Townhome

**Input Meeting:** May 1, 2013  
**DPC Meeting:** May 8, 2013 10:00 am  
**PC Meeting:** June 6, 2013 7:00 pm  
**Council Meeting:** June 17, 2013 7:00 pm

**Executive Summary:**

The subject property was rezoned from DT-MRA to DT-RO on December 12, 2006, in order to accommodate a proposed office building on the site, but the site was not developed. Since that time the Dupree Rd Corridor has not transitioned into the more commercial uses that were anticipated by staff in the 2006 rezoning case.

The applicant would like to rezone the property back to the DT-MRA classification in order to develop up to 15 single family detached homes and has not requested any variances from the Downtown Development Code. DT-MRA permits up to 9 UPA, which would permit 22 units on the 2.5 acre property. The proposed development would allow the area retain its residential character with opportunities for sidewalk connections to the Downtown commercial uses, as well as the Greenprints Trail System.

	<b>Ordinance Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Min lot area</b>	1,200 sq ft	1200 sq ft	Yes
<b>Min lot width</b>	16 ft	16 ft	Yes
<b>Rear setback</b>	With alley-0/no alley-5 ft	5	Yes
<b>Side setbacks</b>	5ft	5	Yes
<b>Max Density</b>	9 UPA	15 units	Yes (22 unit max)
<b>Parking</b>	LDO Sec. 7.726	Alley served	Yes
<b>Open Space</b>	LDO Sec. 7.725 - 0.5 acres	0.98 acres	Yes

**Zoning History:**

122 Dupree Rd was rezoned from DT-MRA to DT-RO for Commercial/Office use in 2006 (Z#024-06).

**Criteria for Consideration of a Rezoning Request:**

Woodstock LDO Section 11.205- Zoning Standards, provides the following criteria which must be considered in reviewing Rezoning requests:

**(a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The adjacent and nearby properties along Dupree Rd are developed and currently used as residential SFA (Single Family Attached) and SFD (Single Family Detached) homes, which is consistent with this SFD proposal.

**(b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The applicant's proposal is not anticipated to adversely affect the existing use or usability of adjacent or nearby property. The surrounding properties are currently developed residentially, with a more intensely dense townhome community directly to the north of the subject property.

**(c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The conditions of zoning Z#024-06 tie this property to an office building significantly similar to the 2006 rezoning site plan. This limits the potential uses for the property and renders current economic use of the property less than reasonable, given the trend toward residential development on Dupree Road.

**(d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**

The applicant proposes \*\*15 total units for the 2.52 acre property which is significantly less than 20 units permitted by the current DT-RO designation. Based on traffic generation projections a 15 unit development will generate 143 daily trips and based on Cherokee County BOE multiplier of 0.75 students per residence will produce 11 students. Since the overall density is lower than is permitted by the current DT-RO zoning and the Proposed DT-MRA zoning, staff feels this proposal will not create significant burdens to existing streets, transportation facilities, utilities or schools.

(\*\*the applicant has revised their site plan to include only 11 units; staff has recommended capping the density at 15 units originally requested)

**(e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.**

Urban Village accommodates small-lot single-family neighborhoods. The Urban Living Character Areas present an "in-town city neighborhood" environment, and the proposed project will provide a transition between the core (DT\_CBD – Walton and Downtown mix of uses) and lower-intensity residential Character Areas to the west. The applicant has identified potential internal and external connection points to encourage walkability in order to reduce automobile trips and to encourage a close knit community.

**(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

The binding condition of zoning Z#024-06 has created a limitation as far as marketability of the subject property. The applicant has presented a plan with an appropriate architectural theme and design, which has incorporated green building ideals and walkable proximity to amenities and services which staff believes fits well within the purpose and intent of the Downtown District.

**DPC Recommendation:**

At the May 8, 2013, meeting the Development Process Committee voted unanimously to recommend approval of the applicant's request to rezone the subject property from DT-MRA to DT-RO with the following conditions:

- 1) Up to 15 SFD units shall be permitted on the subject 2.52 acre site.
- 2) The site plan submitted for review shall be substantially similar to the site plan submitted with the application, dated 4.15.13, and attached hereto as Exhibit "A".

**Attachments:**

- Zoning Map
- Site Plan
- Site Photos